

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. **10/713,279** Confirmation No.: **1104**
Applicant(s): **LORENZO COSTA, ET AL.**
Filed: **November 14, 2003**
TC/A.U. **1754**
Examiner: **Maribel Medina Sanabria**
Title: **Sol-Gel Process for the Manufacture of Nanocomposite Photoluminescent Materials and Materials Thus Produced**

Docket No.: **033965.0021**
Customer No.: **25461**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

AMENDMENT

In response to the Office Action of September 3, 2004, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 29, 2004.

Susan J. Revel

02/03/2005 RWIMBUSH 0000007 02430 Susan J. Revel

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02 FC:1201 200.00 DA

in the red light region, that only occurs if the material is treated at higher than 1000° C. The material is not photoluminescent in the infrared region as is the nanocomposite material defined by the present claims. Moreover, the material does not show infrared absorbance as does the claimed nanocomposite material. Consequently, *Mutti* does not describe the claimed subject matter within the meaning of 35 U.S.C. § 102. Neither are there any suggestions, reasons or motivation in *Mutti* whereby a person skilled in the art would arrive at the process of producing the product or the product itself as defined in the present claims. Nothing would lead a person having ordinary skill in the art to modify the *Mutti* substances so as to have photoluminescence in the red light region or to create a material having photoluminescence in the infrared region at ambient temperature and having infrared absorbance.

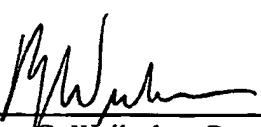
For the reasons set forth above, applicants respectfully submit that the rejections are not proper and should be withdrawn.

Favorable action at the Examiner's earliest convenience is respectfully requested.

Respectfully submitted,

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